United Nations A/70/59

General Assembly

Distr.: General
21 April 2016

Original: English

Seventieth session
Agenda items 15 and 116

Integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic, social and related fields

Follow-up to the outcome of the Millennium Summit

In safety and dignity: addressing large movements of refugees and migrants

Report of the Secretary-General

Summary

The present report is submitted pursuant to General Assembly decision 70/539 and provides background and recommendations in preparation for the high-level plenary meeting on addressing large movements of refugees and migrants, to be held on 19 September 2016. It is structured in five sections, beginning with a global overview of trends, an analysis of the causes of large movements of refugees and migrants and a discussion of their particular needs en route and upon arrival. Following a short review of related recent initiatives, there is a call for new global commitments to address large movements of refugees and migrants, commencing with recommendations to ensure at all times the human rights, safety and dignity of refugees and migrants, including on addressing the causes of such movements, protecting those who are compelled to undertake such journeys, and preventing the discrimination and countering the xenophobia they frequently encounter. A more predictable and equitable way of responding to large movements of refugees is called for through the adoption of a global compact on responsibility-sharing for refugees, and the elements of a comprehensive response plan for refugees are set out. Lastly, a call is made in the report for strengthening the global governance of migration through the development of a global compact for safe, regular and orderly migration, in a process to be initiated now and realized in the coming years.

16-06455 (E) 040516

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I. Introduction

1. Although large movements of refugees and migrants are not a new phenomenon, the images of the past few years have shocked the world's conscience: rickety boats piled high with people seeking safety; women, men and children drowning in their attempts to escape violence and poverty; fences going up at borders where people used to cross freely; and thousands of girls and boys going missing, many falling prey to criminal groups. Unable to find safe ways to move, people suffer and die in search of safety while crossing the Sahara desert, the Andaman Sea, the Mediterranean and dozens of other dangerous places around the world. Upon arrival, the rights of those who survive these perilous trips are often violated. Many asylum seekers and migrants are detained, and their reception is sometimes far from welcoming. Xenophobic and racist rhetoric seems to be not only on the rise, but also becoming more socially and politically accepted.

2. Away from the daily headlines and stark images, strains are quietly accumulating on refugees and migrants, as well as on countries and communities that receive them, sometimes for many years. In some refugee situations, a third generation of children has been born in conditions of displacement. Local authorities in all regions are struggling to provide basic services, including places in schools, for large numbers of new arrivals. While pledges for the humanitarian response have reached an all-time high, funding is insufficient to meet ballooning needs. Even in emergency situations, early planning for development requirements and the increased engagement of development actors is sorely needed.

3. Large movements of people will continue or possibly increase as a result of violent conflict, poverty, inequality, climate change, disasters and environmental degradation. Despite valiant efforts, responses too often have been inadequate. Life-saving assistance has been provided, but there has been an inability to plan for the eventuality of longer-term displacement or to sufficiently support host communities. If one lesson can be drawn from the past few years, it is that individual countries cannot solve these issues on their own. International cooperation and action to address large movements of refugees and migrants must be strengthened. Both national and collective responses must address the reasons people leave their homes, their need for safe passage and protection and both the immediate and long-term needs of those who cross into other countries. In short, all members of the international community must do much better.

4. Yet there were also signs of hope. More resettlement and humanitarian admission places were offered to refugees in recent years than in the past. New efforts have been undertaken to rescue those at sea. Humanitarian funding has increased, although it is not commensurate with that needed. The generosity of some Member States that continued to welcome new arrivals while already hosting large numbers of refugees year after year has been impressive. There has been an outpouring of support from civil society, and in every region countless individuals have spontaneously welcomed new arrivals, often literally opening the doors of their homes to them.

5. These positive examples can serve as a basis for strengthened collective action. The refugee and migrant crises around the world are serious, but are not insurmountable if States act together and share responsibility more equitably. The capacity exists to improve the collective response to large movements of people and

to address their needs and those of the communities that support them. Effective multilateral responses to large movements have been used in the past. Ways can be found to strengthen international cooperation to ensure safety and dignity in current mass movements. The present report lays out ways to do so. With the necessary political will, the world's responses to large movements of people can be grounded in shared values of responsibility-sharing, non-discrimination and respect for human rights, while also taking full advantage of the opportunity migration provides to stimulate development and economic growth.

6. The high-level meeting of the plenary of the General Assembly on addressing large movements of refugees and migrants, to be held on 19 September 2016, represents a unique opportunity to strengthen and implement existing frameworks and develop innovative ways to address large movements of people. Member States must find ways to govern their national borders effectively while protecting the human rights of all refugees and migrants. The causes of displacement and irregular migration need to be addressed. Mechanisms must be developed to respond to future large movements of people more effectively and predictably, and the contributions that refugees and migrants make to host communities must be acknowledged and strengthened.

7. The risks of inaction are considerable. If this opportunity to reinforce respect for international law, put into place new approaches and strengthen common responses is not seized, there will likely be greater loss of life and heightened tensions among Member States and within communities. More refugees and migrants will perish in transit. Transnational criminal migrant smuggling rings and human trafficking networks will continue to flourish, leading to the exploitation of the vulnerable. The rights and the dignity of millions of fellow human beings will be further diminished if they languish in camps or on the margins of cities without access to basic needs, livelihoods and income opportunities. With millions of children out of school and millions of adults having no possibilities for earning an income, the promise made by the General Assembly one year ago to "leave no one behind" risks becoming a meaningless cliché, with far-reaching consequences.

8. The high-level plenary meeting on 19 September will be the culmination of several international initiatives in response to global refugee and migrant crises. I hope that the summit will not only galvanize the pledges made at earlier events, but that it will build on those commitments to address the underlying causes and to strengthen the collective responses to large movements of refugees and migrants. The international community and the United Nations are challenged to make the most of this historic moment.

II. People on the move: overview and trends

9. Migration is a fact of life in a globalized world, and the world is a better place because of it. People move for many reasons: to study abroad, join family, seek employment and livelihoods and secure a better future for their children. Others leave their countries to escape crime, violence, conflict, persecution, insecurity, discrimination, disasters, environmental degradation and poverty. Most people move between developing countries or from developing to developed countries. Migration plays a critical role in economic growth and development, including by meeting labour market shortages at all skill levels. The impact of migration is

overwhelmingly positive, both for countries of origin and receiving countries.[1] In its resolution 68/4 on the Declaration of the High-level Dialogue on International Migration and Development, the General Assembly recognized that human mobility is a key factor for sustainable development.

10. In the 2030 Agenda for Sustainable Development, Member States recognized the many positive benefits of migration, and in target 10.7 of the Sustainable Development Goals committed to cooperating internationally to facilitate the orderly, safe, regular and responsible migration and mobility of people. The focus of the present report, however — and of the high-level plenary meeting to be held on 19 September 2016 — is on large cross-border movements of people that are not regular, safe or orderly, and for whom shared responsibility has been lacking.

11. Whether a movement is characterized as "large" is less dependent on the absolute number of people moving than on its geographical context, the capacities of the receiving States to respond and the impact caused by its sudden or prolonged nature on the receiving country. Large movements often involve mixed flows of people who move for different reasons and use irregular channels. By default, the responsibility for responding to large movements of people lies primarily with the receiving States. This is an area in which greater international cooperation and responsibility-sharing is needed. These large-scale, irregular and often perilous movements are addressed in the present report.

A. Trends in migration

12. While there is no formal definition, most experts agree that an international migrant is someone who changes his or her country of residence, with a distinction made between short-term or temporary migration and permanent migration. It is important to bear in mind the significant distinction between migrants on the one hand and refugees on the other.[2] In 2015, the number of international migrants and refugees reached 244 million, an increase of 71 million, or 41 per cent, from 2000.[3] International migrants as a proportion of the global population increased from 2.8 per cent in 2000 to 3.3 per cent in 2015. The majority of international migrants, 150 million, are migrant workers, accounting for 72.7 per cent of the migrant population of working age (15 years and over) of 206.6 million.[4] Around half of the world's international migrants are women, and one third are young persons between 15 and 34 years of age. However, the data available on migrants, their contribution to the economy, irregular migratory movements and many other aspects are sorely lacking.

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[1] See United Nations Development Programme, *Human Development Report 2009: Overcoming barriers — human mobility and development* (New York, Palgrave Macmillan, 2009), available from http://hdr.undp.org/en/content/human-development-report-2009, and the report on outcomes of the round table of the annual Global Forum on Migration and Development, available from www.gfmd.org.

[2] See Office of the United Nations High Commissioner for Refugees, "Refugees and migrants: frequently asked questions", 15 March 2016. Available from www.unhcr.org/print/56e95c676.html.

[3] United Nations, "Key findings and advance tables", 2015 Revision of World Population Prospects database. Available from http://esa.un.org/unpd/wpp.

[4] International Labour Organization, "New ILO figures show 150 million migrants in the global workforce", 16 December 2015. Available from www.ilo.org/global/topics/labour-migration/news-statements/WCMS_436140/lang--en/index.htm.

13. Currently, most countries are simultaneously, to varying degrees, countries of origin, transit and destination for international migrants. Consequently, they have obligations to protect the rights of their citizens who are abroad, as well as those of migrants in transit across and arriving in their territory.

14. Traditionally, migration policies at the national level have been ad hoc and fragmented. Many Governments have lacked migration policies or the capacities to implement them. Often, policies were focused on only one aspect of migration, such as those advocating the rights of citizens overseas or the return of irregular migrants, to the exclusion of a more comprehensive approach that facilitated safe, regular and orderly migration. In recent years, however, a consensus is emerging that no country can manage migration effectively on its own, and that inter-State cooperation at both the regional and the global levels is essential. Such recognition is reflected in the emergence of regional consultative processes on migration in every region and the increasing integration of migration into the work of regional economic communities and various interregional forums. Perhaps the most telling sign is the significant growth in the membership, activities and reach of the International Organization for Migration (IOM), which currently has 162 member States, a presence in some 150 countries and more than 8,000 staff working mainly in the field.

15. Equally important is the growing range of requests from Governments around the world to international organizations, such as IOM and the International Labour Organization (ILO), to help with the development and implementation of planned and well-managed migration policies and provide assistance to vulnerable migrants. Yet migration is not sufficiently integrated into the work of the humanitarian and development mechanisms of the United Nations, which is also reflected in the fact that IOM is not part of the United Nations system.

B. Refugees: data and trends

16. In the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto, a refugee is defined as a person who, "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country" (see art. 1 of the Convention). In article 1 of the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969, those falling within that definition are incorporated and the refugee definition is extended to persons who flee their country "owing to external aggression, occupation, foreign domination or events seriously disturbing public order". Similarly, in the Cartagena Declaration on Refugees of 1984, the definition is expanded to a broader set of beneficiaries in Latin America, including people who flee their country because their "lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order".

17. In 2014, the Office of the United Nations High Commissioner for Refugees (UNHCR) reported that there were 14.4 million refugees. An additional 5.2 million Palestine refugees are registered with the United Nations Relief and Works Agency for Palestine Refugees in the Near East. Seventy-five per cent of refugees come from just 11 countries, and seven countries host more than 50 per cent of all

refugees. Half of the world's refugees are children under 18 years of age, and around half of the total number of refugees are women or girls. In 2014, the majority of refugees — 86 per cent, according to UNHCR estimates — resided in developing countries.[5] With opportunities for voluntary repatriation at the lowest level in decades, durable solutions are becoming more elusive for those who were part of large cross-border movements occurring years — even decades — ago.

18. The gradual expansion of refugee protection notwithstanding, many people are compelled to leave their homes for reasons that do not fall within the refugee definition in the 1951 Convention, including disasters or the erosion of livelihoods as a result of the adverse impacts of climate change and food insecurity. Many use migration channels to seek safety, and many countries allow people who have left for these and other reasons to remain under temporary measures.

19. Refugees are clearly of major concern to the international community. Over the past 65 years, Member States have worked together to protect and assist refugees and to resettle a limited number of them in third countries, with the support of UNHCR and IOM. However, there have been shortcomings. Most obviously, the international community has not been able to prevent or resolve the factors that force refugees to flee. Needed assistance has not always been provided in a timely and predictable manner, with negative effects on both refugees and the communities in which they live. Long-term solutions for refugees have not always been forthcoming.

C. Internal displacement

20. Many more persons are displaced within national borders. According to the Internal Displacement Monitoring Centre, the number of internally displaced persons stood at almost 40 million at the end of 2014.[6] The Guiding Principles on Internal Displacement of 1998, which provide a normative framework for protecting and assisting internally displaced persons, define such persons as those "who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border" (see E/CN.4/1998/53/Add.2, annex). In the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa of 2009, this definition is expanded by including those displaced by the effects of climate change and development projects.

21. When people cannot find safety or support at home, they may seek protection and assistance in other countries as refugees or migrants. In my report for the World Humanitarian Summit and its Agenda for Humanity (see A/70/709 and annex), I spelled out a number of actions to address the protection and assistance needs of internally displaced persons; perhaps it is time to review major operations for internally displaced persons and implement lessons on how to improve the response.

[5] See UNHCR, "UNHCR mid-year trends 2014" (Geneva, 2015). Available from http://unhcr.org/54aa91d89.html.

[6] Alexandra Bilak and others, "Global overview 2015: people internally displaced by conflict and violence" (Geneva, Internal Displacement Monitoring Centre, Norwegian Refugee Council, 2015). Available from www.internal-displacement.org/assets/library/Media/201505-Global-Overview-2015/20150506-global-overview-2015-en.pdf.

III. Why people move: reasons behind large movements of refugees and migrants

22. Both voluntary migration and forced displacement have been part of the human condition throughout history, and most people in the world are likely to have experience of such movements in their family histories. Given our globalizing and interdependent world, international migration is likely to become even more prevalent in the future. Increasingly integrated labour markets and lower costs of transportation, as well as well-established information, communications and social networks, all contribute to greater mobility.

23. The world's population is projected to continue to grow for the foreseeable future and is expected to reach 9.7 billion by 2050. If the proportion of international migrants as part of the total population remains constant, the global migrant population will reach 321 million by 2050. More than half of global population growth until 2050 (2.4 billion people) is predicted to occur in Africa (1.3 billion people).[7] Developing countries with declining birth rates and relatively few older people may reap benefits from a demographic dividend by providing quality education and creating employment for their growing workforces. However, should population growth outpace both education and job opportunities, more young people are likely to seek opportunities abroad in large numbers. At the same time, a growing number of countries, especially those without sustained immigration, are facing rapid population ageing, population decline and a shrinking workforce.[7]

24. Over the past two decades, the world as a whole has become much wealthier. Gross domestic product has risen in most countries, with corresponding increases in education levels, life expectancy and access to public services. However, growth has been uneven, and inequality has increased. Evidence suggests that although poverty acts as a driver of migration, the poorest often lack the resources to migrate. Economic development can thus reduce migration pressures in the long run, but lead to increased migration in the short term.

25. Migration and development are linked. Migrant remittances alleviate poverty and provide access to education, health care and other benefits. Migrant investments and trade generation stimulate job creation and improve the balance of payments.[8] Returning migrants bring new skills to their communities, and they and their networks contribute to economic growth. At the same time, large-scale emigration, when it entails the loss of the youngest and most economically dynamic members of the population, imposes costs on developing countries.

26. While economic factors drive most international migration, in the case of refugees and internally displaced persons, conflict, violence, persecution, political repression and other serious human rights violations are among the key causes of movements. Poor governance structures that institutionally perpetuate rather than counter exclusion, marginalization and discrimination are often structural reasons for large movements.

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[7] United Nations, "Trends in international migration, 2015", *Population Facts*, No. 2015/4, December 2015. Available from www.un.org/en/development/desa/population/migration/publications/populationfacts/docs/MigrationPopFacts20154.pdf.

[8] See Organization for Economic Cooperation and Development (OECD), *International Migration Outlook 2006* (Paris, OECD Publishing, 2006), p. 156. Available from www.oecd.org/els/mig/38840502.pdf.

27. Disasters have always led to displacement and are likely to do so even more in the future, given the rising concentration of populations in cities and the likelihood that hazards relating to climate change and environmental degradation will increase in frequency and intensity. Present estimates indicate that, over the past eight years, 28 million people on average have been displaced annually.[9] More droughts are likely to lead many rural inhabitants to move to cities, creating pressures on labour markets and housing. Evidence suggests that people displaced by environmental factors tend to move to areas at even greater environmental risk. Sea-level rise and extreme weather events may drive people away from coastal areas and low-lying small island States. While many victims of disasters are able to return to their homes in a relatively short time, in some cases they require permanent relocation.

IV. Dangerous journeys, uncertain reception and long-term prospects

A. Dangerous journeys

28. In the absence of sufficient safe, orderly and regular pathways for moving to other countries, both refugees fleeing persecution or conflict and migrants escaping hardship are often compelled to undertake perilous and circuitous journeys by sea, land or air. Given the lack of alternatives, they find themselves forced to turn over their savings and put their lives in the hands of criminal networks in order to cross international borders. The rising number of children in these movements is of particular concern.

29. Many have lost their lives in the process. According to one estimate, at least 50,000 persons, including thousands of children, have died in the past two decades while seeking to cross international borders.[10] Although national coastguard operations have saved thousands of lives, inadequate and deficient search and rescue programmes, including rescue at sea and disembarkation protocols, put both rescuers and those rescued at risk.

30. Refugees and migrants also face dangerous conditions and human rights abuses along land routes, whether through the Sahel, Central America or mountain passes in Asia. Risks faced by migrants and refugees in transit are significantly underreported, and casualty figures are incomplete because of the irregular nature of the movements.[11] There is no systematic reporting on the number of persons seeking to cross international borders or on the number of victims and casualties among them, although UNHCR has reported on some of the journeys and IOM has initiated annual reporting on loss of life en route.

31. People smuggling and human trafficking are distinct crimes under the United Nations Convention against Transnational Organized Crime and the Protocols

[9] Michelle Yonetani and others, "Global estimates 2015: people displaced by disasters" (Geneva, Internal Displacement Monitoring Centre, Norwegian Refugee Council, 2015). Available from www.internal-displacement.org/publications/2015/global-estimates-2015-people-displaced-by-disasters/.

[10] IOM, Missing migrants project database. Available from https://missingmigrants.iom.int/.

[11] See Office of the United Nations High Commissioner for Human Rights, "Situation of migrants in transit" (Geneva, 2016). Available from www.ohchr.org/Documents/Issues/Migration/StudyMigrants/OHCHR_2016_Report-migrants-transit_EN.pdf.

thereto that relate to human trafficking and migrant smuggling. While smugglers facilitate the irregular movement of individuals across international borders as an illicit business, traffickers use force, coercion or deception to exploit these individuals in various ways, including for sexual exploitation and forced labour. Although exact figures are difficult to obtain, the risk of trafficking significantly increases in large movements of refugees and migrants. Around two thirds of Member States have ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, to eliminate human trafficking and exploitation by people smugglers. However, Member States continue to face challenges to their implementation. More opportunities for safe, regular and orderly migration are essential in global efforts to eliminate this scourge.

32. Many migrants and refugees undergo traumatic experiences during their journeys, including imprisonment and physical and mental violence. Children — both those travelling on their own and those travelling with their families — are at particular risk during such journeys, as are pregnant women, older persons and persons with disabilities. The risk of sexual and gender-based violence is high, as was illustrated in recent studies on violence experienced by both Central American women travelling to the United States of America and refugee and migrant women en route to Europe.[12] Other challenges, particularly for women and girls in transit, include family separation, psychosocial stress and trauma, health complications, physical harm and injury and risks of exploitation.

B. Precarious arrivals and uncertain reception

33. Upon arrival at borders, asylum seekers, refugees and migrants encounter further risks. They may face problems in accessing fair and efficient individual refugee status determination procedures. In some countries, they are held in detention, at times for lengthy periods and in substandard conditions, without the means to exercise their rights. In addition, they may be at risk of accelerated return without adequate safeguards or other actions, in violation of the non-refoulement obligations of States.

34. Effective screening procedures are essential to manage the arrival of large numbers of refugees and migrants properly. However, in situations of mass inflows, national capacities to identify, register and document new arrivals and to provide them with necessary assistance are severely stretched. Even Member States with robust screening procedures to safeguard human rights, adjudicate asylum claims and identify particular protection and assistance needs may find their systems temporarily overwhelmed by the sheer number of new arrivals.

35. There are people who may not have a claim to refugee status, but are nonetheless vulnerable and in need of protection as a result of conditions in their home countries and/or the manner in which they are compelled to move. While there have been efforts to forge and strengthen more predictable responses to mixed movements, including the UNHCR 10-point plan of action for refugee protection

[12] See Rebecca Eapen and others, "Initial assessment report: protection risks for women and girls in the European refugee and migrant crisis" (UNHCR, United Nations Population Fund, Women's Refugee Commission, 2016). Available from www.unhcr.org/569f8f419.html.

and mixed migration[13] and the IOM migration crisis operational framework,[14] major challenges remain both in principle and in practice.

36. Receiving States are often left to respond to a mass influx of new arrivals on their own. Regional mechanisms to share responsibility have been found wanting. International cooperation has been unable to provide sufficient financial and other support to countries and communities affected by large movements of refugees and migrants. Too often, responsibility for new arrivals lies with the authorities and host communities in the first country of arrival. Despite efforts by some donors, humanitarian funding usually falls short both for refugee operations and broader mixed migration flows. Humanitarian aid is not sufficiently linked with development funding and the core government systems necessary to support institutions and communities negatively affected by the influx.

37. I am concerned at the increasing trend of Member States erecting fences and walls in response to large movements of refugees and migrants, and a corresponding tendency of criminalizing irregular migration. Experience has demonstrated that such measures are ineffective in countering people smuggling and human trafficking, by diverting movement elsewhere. They are also in and of themselves inimical to the protection of the dignity and safety of migrants and refugees, who are forced to embark on more dangerous journeys or are stranded in dismal conditions and, at times, are faced with violent enforcement measures at borders. These measures can also reinforce xenophobia and hostility to migrants and refugees in societies and can be counterproductive to global ambitions of fostering greater inter-State integration and cooperation. As the title of the present report makes clear, an interconnected world needs a dignified approach to human mobility, rather than one built on closed borders and criminalization.

C. Longer term

38. Since refugees and migrants who are permitted to stay in a receiving country frequently remain for a lengthy period, the initial necessary humanitarian approach is not a viable long-term response to large movements of people. As the Global Migration Group has emphasized, medium- and long-term efforts are imperative in order to include both refugees and migrants who stay in national and local development plans to ensure their livelihood opportunities while strengthening the resilience of and development opportunities for host communities.[15] Such efforts for the social inclusion of refugees and migrants usually require an initial investment by receiving Governments, which may require external support. In the long term, however, such efforts can result in greater social cohesion and an increased contribution to the local economy.

[13] UNHCR, "Refugee protection and mixed migration: the 10-point plan in action" (Geneva, 2011). Available from www.unhcr.org/50a4c2b09.pdf.

[14] IOM, "Migration consequences of complex crises: IOM institutional responses", paper prepared for the 104th session of the IOM Standing Committee on Programmes and Finance, Geneva, 15 and 16 May 2012. Available from www.iom.int/mcof.

[15] See Global Migration Group, *Mainstreaming migration into development planning: a handbook for policymakers and practitioners* (Geneva, 2010). Available from www.globalmigrationgroup.org/working-group-mainstreaming-migration-national-development-strategies.

39. Host communities directly affected by the arrival of large numbers of refugees and migrants need the support and expertise of development actors, such as the United Nations Development Programme, the Food and Agriculture Organization of the United Nations, the United Nations Children's Fund, the World Bank and regional development banks, to ensure that their own development priorities can be realized. There is growing recognition of the need to work with host communities. In that context, the international community has increasingly acknowledged the need to strengthen the nexus between humanitarian and development assistance in responding to large movements of refugees and migrants. Humanitarian and development actors must work together towards achieving collective outcomes over multi-year periods on the basis of comparative advantage, particularly in situations of protracted displacement.

40. I note with grave concern that xenophobic and racist responses to refugees and migrants seem to be reaching new levels of stridency, frequency and public acceptance. The tenor of policy and public discourse on migrants and refugees must be shifted from one of threat to one of international solidarity, the protection of dignity and a recognition of positive contributions. Such efforts need to address the fears and concerns of host communities, and must be based on facts rather than assumptions and misinformation. Given the overwhelming evidence that personal contact significantly reduces prejudice, more creative ways of fostering contacts between host communities on the one hand and refugees and migrants on the other are urgently needed.

V. Building on a rich history of inter-State cooperation

A. Learning from regional experiences

41. Lessons from past initiatives at the regional level to address large movements of refugees and migrants can underpin collective efforts to build mechanisms for improved future responses. For instance, from 1989 to 1997 the Comprehensive Plan of Action for Indo-Chinese Refugees brought together countries of origin, first asylum and resettlement, each of which made concrete commitments to find solutions for the millions of refugees fleeing countries in South-East Asia and for the orderly departure of hundreds of thousands of migrants. From 1987 to 1994, the International Conference on Central American Refugees engaged both development and humanitarian actors to support livelihood opportunities for returning refugees and internally displaced persons, as well as host communities. From 1993 to 2005, the Commonwealth of Independent States conference on refugees and migrants brought together 12 Member States from the former Union of Soviet Socialist Republics to analyse and address a diverse set of involuntary population movements occurring in the territory of the former Union of Soviet Socialist Republics, including of refugees, internally displaced persons, returning migrants, formerly deported peoples, irregular migrants and disaster victims.

42. Key success factors in these regional initiatives included linking solutions to broader peace processes, simultaneously addressing refugee flows and irregular migratory movements, developing region-specific approaches and creating a "deal" in which responsibilities were shared among countries of origin, transit and destination and involved both humanitarian responses and development solutions.

Institutional factors that contributed to their success included the establishment of a preparatory and follow-up process (rather than a one-off pledging conference), strong leadership in key agencies and a supportive role by the Secretary-General and civil society.

43. More recently, the Regional Refugee and Resilience Plan in response to the crisis in the Syrian Arab Republic brings together more than 200 partners in a regionally coordinated response to the refugee crisis. The plan combines humanitarian and development resources to support the implementation of nationally owned response plans for Egypt, Iraq, Jordan, Lebanon and Turkey. The Plan is co-led by the United Nations Development Programme and UNHCR, and includes measures to address both the protection and assistance needs of refugees living in camps and resilience-based development with a focus on vulnerable communities, while strengthening the capacities of national and subnational service delivery systems.

44. Also at the regional level, as part of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, established in 2002, a series of proposals were made to protect people at sea; to prevent the smuggling of migrants and trafficking in persons; and to address root causes and improve livelihoods in at-risk communities. Similarly, the African Union-Horn of Africa initiative on human trafficking and the smuggling of migrants, also known as the Khartoum process, begun in 2014, has advanced the consideration of joint action on these issues.

B. Addressing causes

45. Meeting the Sustainable Development Goals and targets of the 2030 Agenda for Sustainable Development would reduce the need for migrants to leave their homes in search of better opportunities by addressing some of the root causes of involuntary movements of refugees and migrants. It would also provide for well-managed migration policies, lower the costs of migration and strengthen the contribution of migrants and refugees to countries of origin and destination alike.

46. The crucial role of responding early to human rights violations is at the heart of the Human Rights Up Front initiative, and the close link between prevention and protection was recognized in paragraph 139 of the 2005 World Summit Outcome, in which the General Assembly committed to helping States build capacity to protect their populations from genocide, war crimes, ethnic cleansing and crimes against humanity and to assisting those which are under stress before crisis and conflicts break out.

47. In the Sendai Framework for Disaster Risk Reduction 2015-2030, countries were called upon to take measures to mitigate the risks of disasters and the consequent displacement (see General Assembly resolution 69/283). At its twenty-first session, held in Paris from 30 November to 13 December 2015, the Conference of the Parties to the United Nations Framework Convention on Climate Change agreed to establish a task force to develop integrated approaches to "avert, minimize and address displacement related to the adverse impacts of climate change" (see FCCC/CP/2015/10/Add.1, decision 1/CP.21).

C. Migration- and displacement-related initiatives

48. Other State-led processes are leading to the development of concrete tools for responding to large movements of refugees and migrants. The Global Forum on Migration and Development, established in 2007, is a voluntary, informal, non-binding and Government-led process to advance understanding and promote cooperation on the relationship between migration and development and to foster practical and action-oriented outcomes. In 2015, the Global Forum for the first time took up issues relating to forced migrants.

49. More than 100 Governments have affirmed their support to better protect people displaced across borders by disasters in the context of climate change as part of the Nansen Initiative, a State-led consultative process from 2012 to 2015 in which it was reported that at least 53 countries had received, or refrained from returning, migrants affected by disasters.[16] The State-led Migrants in Countries in Crisis initiative, launched in 2014 and co-chaired by the Philippines and the United States and supported by IOM as its secretariat, is developing guidelines to protect and assist migrants caught in countries experiencing conflicts or natural disasters.[17] The Solutions Alliance brings together Governments and other stakeholders to find solutions, and explicitly recognizes that forced displacement is both a humanitarian and a development issue.

50. All of these initiatives are signs that many actors in different contexts and places are searching for ways to increase international cooperation to respond to large movements of refugees and migrants. There is much to build on.

VI. Addressing large movements of refugees and migrants: recommendations for Member States

51. The high-level plenary meeting to be held on 19 September 2016 will be a unique opportunity for world leaders to agree on a new approach to address large movements of refugees and migrants. The components needed for a comprehensive solution are at hand. The required conventions, frameworks and tools are in place, although some need wider acceptance and all need to be fully implemented. The present section provides a background and my specific recommendations for Member States for strengthening responses to large movements of refugees and migrants, while section VII is focused on commitments that Member States could make at the highest level on 19 September.

A. Upholding safety and dignity in large movements of both refugees and migrants

Addressing root causes

52. Addressing the causes of large movements of refugees and migrants must be the cornerstone of all efforts. Individuals have a right to remain in their homes, and the international community should do everything possible to ensure that people are

[16] See www.nanseninitiative.org/.

[17] See https://micicinitiative.iom.int/.

not forced to abandon their homes or communities in search of safety or survival. Addressing these causes requires adherence to commitments that Member States have made over the years. In most cases, the actions needed to address the causes of large movements of people across international borders are well-known. New lists of recommendations are not necessary. Instead, mobilization of the political will and the resources to implement the decisions of the international community in the General Assembly, the Security Council and other international forums are needed. Rather than "preventing" large movements of refugees and migrants, the factors that force refugees and migrants to abandon their homes and communities must be addressed.

Protecting people in large movements of refugees and migrants

53. A fundamental tenet is that the human rights of all those who leave their countries, whatever their migratory status, must be respected. Migration governance and responses to refugee movements must be in full respect of international human rights, refugee, humanitarian and labour law.

54. People in transit — whether refugees, asylum seekers or migrants — are entitled to protection. International law requires that assistance be rendered to "any person found at sea in danger of being lost".[18] Member States also have an obligation to disrupt smuggling and trafficking networks and to apprehend and prosecute criminals who profit from these crimes. Border and maritime policies, including disembarkation protocols, should conform with human rights standards and with the humanitarian imperative to rescue first and ask questions later. I call upon Member States to review their national legislation and criminal justice provisions to ensure that they are in line with international standards on smuggling, trafficking, maritime safety and border management.

55. Member States have a responsibility to ensure that their border procedures protect human rights and are consistent with international refugee law, as well as being sensitive to the particular needs of women, children and others who may be at particular risk. The immediate needs of all persons who have been exposed to physical or psychological danger during their journey, whether by land or by sea, and regardless of their migration status, must be met, and persons with specific needs referred for appropriate services. In the case of children, their best interest should at all times constitute the primary consideration. I call upon Member States in this regard to review their border management policies in the light of the recommended principles and guidelines on human rights at international borders developed by the Office of the United Nations High Commissioner for Human Rights (OHCHR),[19] the IOM Migration Crisis Operational Framework and the UNHCR 10-point plan of action for refugee protection and mixed migration. I further call upon Member States to move away from the increasing trend of securitization and closure of borders, and to move towards creating more opportunities for safe, regular and orderly migration.

[18] See article 98 of the United Nations Convention on the Law of the Sea, and see also the International Convention for the Safety of Life at Sea.

[19] See OHCHR, "Recommended principles and guidelines on human rights at international borders" (Geneva, 2014). Available from http://www.ohchr.org/Documents/Issues/Migration/OHCHR_Recommended_Principles_Guidelines.pdf.

56. I am concerned about the growing trend of criminalization of irregular movements. International refugee law is clear that the fact that asylum seekers use irregular means of entry should not be held against them. All refugees and migrants, regardless of status, are entitled to due process of law in the determination of their legal status, entry and right to remain, and in no cases are collective expulsions permissible. I therefore call upon States to consider alternatives to detention for purposes of immigration control and to adopt a commitment never to detain children for this purpose.

57. While human rights apply to all, screening and referral processes are necessary to determine those who need protection under international refugee law. Those in need of protection as refugees must be referred to the appropriate authorities, as detailed below. Those who do not otherwise meet the definition of a refugee may need other forms of protection: for example, unaccompanied children, victims of trafficking and victims of gender-based violence should receive the protection and assistance they need. I have therefore asked Member States to commit to the development of additional guidance on protecting migrants with particular vulnerabilities, as set out in further detail in section VII.

58. Specifically, I call upon all Member States to develop gender- and age-sensitive policies and capacities to ensure the rights and address the particular needs of children, protect family unity and prevent and respond to cases of gender-based violence. Similarly, I call upon all Member States to address the rights and needs of all those arriving with particular vulnerabilities, including older persons and persons with disabilities, regardless of their migratory status.

59. Member States that are faced with the arrival of large numbers of refugees and migrants deserve the broad support of the international community, including increased humanitarian assistance to meet immediate needs. Additional human resources may also be needed to support the rescue, screening and reception of new arrivals. I call upon Member States to lend mutual support in cases of large influxes of refugees and migrants, on the basis of bilateral, regional and international cooperation, as well as through a comprehensive refugee response, as detailed below from paragraphs 76 to 90.

Non-discrimination and inclusion

60. Discrimination and marginalization characterize the experience of many refugees and migrants around the world. This must be addressed urgently.

61. International law prohibits discrimination of any kind on the basis of race, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. This prohibition is well-known, and history has taught many lessons about the destructive legacies of hatred. Nevertheless, this is another time in which a toxic, xenophobic and often racist narrative is taking hold in many parts of the world. This climate incites discrimination against refugees and migrants in various spheres of life, such as education, employment, health care and housing. It violates the human dignity of refugees and migrants. To address this, I have decided to initiate a global campaign led by the United Nations to counter xenophobia, emphasizing direct personal contact between host communities and refugees and migrants.

62. I hope that the campaign will highlight our common humanity and stress the positive contributions made by refugees and migrants. I also hope that it will enjoy the broad support of Member States and a wide array of civil society actors in all countries.[20]

63. Many refugees and migrants are confined to the margins of the societies in which they live. This situation denies the human potential of refugees and migrants and results in economic strain and social tension. The better approach is the inclusion of refugees and migrants in all spheres of social, cultural and economic life. This helps refugees and migrants to achieve their human potential and make a positive contribution to the economies and societies of the receiving countries. It promotes social cohesion. Inclusion is in the interest of all concerned: refugees and migrants themselves, host societies and countries of origin.

64. Inclusion has a basis in international law. The 1951 Convention relating to the Status of Refugees contains provisions on the social and economic rights of refugees. International human rights law, which is based on the Universal Declaration of Human Rights and is elaborated in the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, entitles everyone to fundamental human rights, with very few restrictions on non-nationals. These rights apply to both refugees and migrants.

65. Policies of inclusion seek to bring refugees and migrants into the receiving society. This means that refugees and migrants should be supported in learning the language of the country at an early stage; cultural orientation is also important. Best practice shows that inclusion works best when it begins immediately following arrival. Inclusion means emphasis on securing access to all types and levels of education, access to health care and employment at all skill levels. I therefore call upon all Member States to develop national policies of inclusion for refugees and migrants.

66. Inclusion is not accomplished by States working in isolation. There should be the broad engagement of a wide range of actors to include refugees and migrants. Local civil society organizations, faith communities, the private sector, the media, national human rights institutions and refugees' and migrants' associations should be encouraged to play more active roles, and Member States should build partnerships with them. Given the importance of employment and livelihoods in inclusion policies, I call upon Member States to stand ready to support Governments, employers' and workers' organizations and other actors in the world of work in addressing the significant impact of large influxes of refugees and migrants on labour markets.

67. National policies of inclusion should also ensure that migrants and refugees are incorporated in national development strategies and national adaptation plans of action, as well as United Nations Development Assistance Frameworks. Policy coherence should be ensured between migration and other policy areas, for example, as they relate to recruitment and remittances, skills upgrading and recognition, environmental degradation and climate change, agricultural and rural development and youth employment. Enhanced cooperation is needed between international

[20] For example, see campaigns by IOM (http://iamamigrant.org/), UNHCR (https://twitter.com/hashtag/withrefugees) and the United Nations Children's Fund (https://twitter.com/hashtag/actofhumanity).

development and humanitarian actors to ensure that States, including local authorities, receive the comprehensive support they need. I am committed to ensuring such synergies within the United Nations system.

B. Comprehensive responses and enhanced responsibility-sharing for refugees

68. The world is facing an unprecedented number of refugees as a result of emerging and unresolved conflicts. A greater sharing of responsibilities for refugees is urgently needed so that the rights of refugees are safeguarded and the impact of their flight is not borne disproportionately by some countries and regions on the basis of their proximity to countries of origin alone. This is a global priority. In section VII, a set of commitments is set out for Member States to take at the highest level in the form of a global compact on responsibility-sharing for refugees, to safeguard the rights of refugees while also effectively and predictably supporting Member States affected by such movements.

69. From the earliest days of the international protection regime, early in the twentieth century, cooperation among Member States and responsibility-sharing has been at its core. In the preamble of the 1951 Convention relating to the Status of Refugees, it is considered that "the grant of asylum may place unduly heavy burdens on certain countries, and that a satisfactory solution of a problem of which the United Nations has recognized the international scope and nature cannot therefore be achieved without international cooperation".

70. The principle of responsibility-sharing remains vital, given that refugee challenges are inherently transnational and cannot be addressed by one Member State alone. The principle is reaffirmed in successive General Assembly resolutions, most recently in resolution 70/135, adopted in December 2015. The global compact I propose will reassert this principle through the application of standards that reflect the 1951 Convention and the 1967 Protocol thereto, regional refugee instruments and international human rights and humanitarian law. Specifically, a global compact will commit Member States to support a comprehensive refugee response whenever a large-scale and potentially prolonged refugee movement occurs. It will promote an equitable sharing of responsibility by foreseeing differentiated contributions by Member States and international and national partners on the basis of international law and proven good practices.

71. To assist Member States in meeting the commitments of a global compact on responsibility-sharing for refugees, and consistent with its mandate of "providing international protection ... and of seeking permanent solutions for the problem of refugees",[21] I have asked the United Nations High Commissioner for Refugees to initiate and coordinate a comprehensive refugee response plan, on the basis of international law and best practices and in coordination with all relevant actors, including broader humanitarian operations where they exist, in specific situations

[21] See paragraph 1 of the Statute of the Office of the United Nations High Commissioner for Refugees, and General Assembly resolution 58/153, in which the Assembly removed the temporal limitation on the continuation of the Office. See also UNHCR, "Note on the mandate of the High Commissioner for Refugees and his office", October 2013, available from www.unhcr.org.

involving large movements of refugees. The response plan will be built on the core elements set out below.

Core elements of a comprehensive refugee response

72. People seeking asylum require access to territory and processes to determine their international protection needs in fair and efficient group-based or individual procedures. Those recognized as being in need of international protection should be granted an appropriate status and associated rights, including not only protection from refoulement and adequate treatment, but also rights as defined in international refugee law and human rights instruments.

73. Receiving States must be able to count on international support for establishing adequate reception procedures through cooperative arrangements that provide them with assistance and expertise when needed, including biometric technology. It is incumbent upon receiving States to ensure that documentation is issued with regard to registration, status within the country and other major life events (such as birth, marriage, divorce and death). This prevents statelessness, enables individuals to access essential services and facilitates access to solutions, including the right to return home in safety and dignity when conditions allow.

74. Assistance will be distributed effectively and efficiently and will strengthen the coping capacities of refugees and host communities. As far as possible, the delivery should be carried out through appropriate national service providers (for example, health, education, water and sanitation, housing, energy and social services).

75. Cash-based delivery mechanisms and innovative means for the efficient provision of humanitarian and development assistance should be explored in order to meet the basic needs and build the resilience of affected populations and lay the foundation for stabilization and recovery.

76. Receiving States cannot meet the essential needs of refugees alone. Other Member States should share this responsibility. At the outset of an emergency phase until the attainment of durable solutions, investments must be made in the capacities of refugees, local authorities and community-based systems and networks, in particular for the protection of women and children. Local and civil society partners and non-governmental organizations must be supported by donors and international organizations to play a greater role in humanitarian responses.

77. First responders to refugee emergencies are usually the receiving communities themselves. The majority of refugees reside outside of camps. Ensuring that their hosts are supported adequately is essential to ensuring social cohesion, which helps to uphold respect for asylum.

78. It is imperative that humanitarian and development actors work together with receiving States and identify common outcomes that both can support, including the reduction of dependency on international humanitarian aid over time in favour of more sustainable solutions. International humanitarian action has to be rapid, agile and effective. At the same time, given the long length of displacement on average, the response will be more sustainable if it builds on national and local systems and incorporates a development approach, even in the early stages of an emergency.

79. Non-receiving States, multilateral donors and private sector partners must ensure predictable, consistent and sufficient humanitarian financing to meet the emergency needs that are most acute, as well as the longer-term needs of refugees and host communities. New and innovative forms of financing should be identified, as I noted in my report for the World Humanitarian Summit (A/70/709). The economic and social costs of hosting large numbers of refugees must be factored into financial lending schemes, including to middle-income countries, and development funding opportunities must be opened and private sector investment stimulated for countries hosting significant numbers of refugees. The increasing engagement of the World Bank and multilateral development banks in supporting States and communities impacted by refugees and internally displaced persons is a positive development.

80. Refugees have the will and potential to become self-reliant in their places of refuge. This is in their own interests and in the interests of the communities in which they live. Support for viable and sustainable livelihoods for both refugees and host communities enables refugees to secure basic necessities, such as food, water, shelter and clothing, and to contribute to the development of local economies.

81. The self-reliance of refugees should be facilitated by the recognition of their right to reside and a commitment to expand access to legal employment wherever possible. Refugees, including women and youth, must be part of such plans to ensure their skills and capacities contribute to their own and their communities' protection.

82. No refugee child should be left behind. Access to education is fundamentally protective for children and youth in contexts of displacement. Primary education should be compulsory and available to all refugee children; education opportunities at all levels, including secondary and beyond, should be expanded. Education contributes to solutions, providing children and youth with knowledge and skills to rebuild their lives and their communities.

83. Responsibility-sharing by Member States also extends to relieving some of the pressures on host countries by expanding means of admission of refugees in other countries sufficient to meet the annual resettlement needs identified by UNHCR, or at least 10 per cent of the total refugee population. This can be achieved through enhanced resettlement; medical evacuation and humanitarian admission programmes; temporary evacuation programmes; and opportunities for skilled migration, labour mobility, education and family reunion. These pathways provide viable alternatives to irregular and often dangerous journeys.

84. Most refugees wish to return home. When conditions in the country of origin are conducive to return, a comprehensive refugee response will entail means for their return within an appropriate framework of physical, legal and material safety, in accordance with international standards and as required for their reintegration. Countries of origin must also create the conditions necessary for sustainable return by incorporating reintegration needs into national development planning, as well as through amnesties, human rights guarantees and measures to enable the restitution of property.

85. Return plans engage relevant Member States, organizations of the United Nations system and other partners to support voluntary repatriation, reintegration and reconciliation, including by promoting equity among returnees, displaced

persons and local residents in access to essential services and participation in public life. Comprehensive support to countries of origin must be put in place, also through reconstruction and development funding.

86. In situations in which conditions are not conducive to return, refugees require a status in receiving States to allow them to re-establish their lives and plan for their future. Receiving States should provide a legal status and examine where, when and how to afford the opportunity to refugees to become naturalized citizens.

C. Ensuring safe, regular and orderly migration

87. Currently, most migration occurs through safe and regular means. The majority of the nearly 250 million international migrants leave from, transit through and move to countries of destination without incident. However, this is not the case for all migrants, such as those in the often dangerous large movements that are the focus of the present report. I call upon all Member States to redouble their efforts to facilitate safe, regular and orderly migration with a view to developing a global compact for safe, regular and orderly migration.

88. The basis for such a compact is that all migrants are entitled to the respect, protection and full enjoyment of their human rights under the core international human rights treaties, regardless of their migration status. In addition to the basic human rights instruments referenced in section VII below, several international legal instruments grant specific protections to migrant workers, such as the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families of 1990 and relevant ILO conventions, including Convention No. 97 on migration for employment, Convention No. 143 on migrant workers and the recently adopted Convention No. 189 on decent work for domestic workers. Moreover, migrants also enjoy rights and protection under different branches of international law, including refugee, labour, humanitarian, maritime, transnational criminal, nationality and consular law and the law of the sea. I call upon all Member States to ratify and effectively implement the existing normative frameworks. This would ensure respect for the human rights of migrants; facilitate safe, fair, regular and orderly migration; reduce the incidence of exploitation and abuse associated with migration; and enhance international cooperation on migration.

89. Many migrants, although not refugees, are vulnerable nonetheless in their countries of origin, along their migratory routes, upon arrival at their destinations and/or through the process of or upon return to their country of origin. Specific needs and vulnerabilities must be identified. Migrants caught in crisis situations are doubly vulnerable, as they are often invisible as non-nationals and face difficulties in accessing humanitarian assistance. They are largely unaccounted for in the current humanitarian architecture.

90. Member States have the duty to protect their nationals abroad. Important work has been done as part of the Migrants in Countries in Crisis initiative to identify the roles and responsibilities of countries of origin in protecting and assisting their nationals abroad and identifying promising practices in doing so, such as enhanced consular capacity and bilateral and regional consular cooperation, particularly in emergencies.

91. Guidance has been developed recently by international organizations and entities — such as the ILO Fair Migration Agenda[22] and Multilateral Framework on Labour Migration;[23] the IOM Migration Governance Framework,[24] Migration Crisis Operational Framework and International Recruitment Integrity System[25] — that provide important contributions both to buttress the international normative framework and address practical needs. In addition, OHCHR is currently leading an effort through the Global Migration Group Working Group on Migration, Human Rights and Gender to develop principles and practical guidance on the human rights protection of migrants in vulnerable situations and in large movements.[26] I call upon Member States to consider using this guidance in the development of the compact on safe, orderly and regular migration.

92. As a corollary to sovereign discretion to determine which non-nationals may enter and stay in a State's territory, Member States have the right to remove non-nationals who are not authorized to stay. Return is an important component of ensuring the integrity of asylum and migration systems, and all Governments are required to accept the return of their nationals. I call upon Member States to promote voluntary return over forced return or deportation to better protect the dignity of migrants and reduce legal or administrative costs. Voluntary return is most effectively accompanied by robust reintegration assistance to facilitate the rebuilding of the lives and livelihoods of migrants in their home countries. Reintegration assistance should be provided to individuals when they return alone, and to communities when there are large-scale returns. Any type of return, including deportation, must be consistent with international standards and respect the fundamental principle of non-refoulement, the best interests of children and due process of law.

93. I welcome initiatives taken by some Member States to recognize that certain vulnerable migrants who are not refugees should be afforded, at a minimum, temporary protection against return. More than 20 Member States have developed national legislation and policies to grant temporary or other protection to migrants in instances in which their countries of origin are experiencing natural disasters or serious disturbances of public order.[16] The safety and well-being of migrants, as well as the capacity of their countries of origin to accept large numbers of returnees given the impact on social services, labour markets, social cohesion and stability, are important considerations in that regard.

94. In addition, several Member States have adopted measures to provide temporary or permanent protection to victims of trafficking or other serious forms of exploitation, although this should not be conditional on the victims' agreement to

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[22] ILO, *Fair Migration: Setting an ILO Agenda* (Geneva, 2014). Available from http://ilo.org/global/topics/labour-migration/fair-migration-agenda/lang--en/index.htm.

[23] ILO, *ILO Multilateral Framework on Labour Migration: Non-binding Principles and Guidelines for a Rights-Based approach to Labour Migration* (Geneva, 2006). Available from http://ilo.org/global/topics/labour-migration/publications/WCMS_178672/lang--en/index.htm.

[24] IOM, document C/106/40. Available from https://governingbodies.iom.int/system/files/en/council/106/C-106-40-Migration-Governance-Framework.pdf.

[25] See http://iris.iom.int/about-iris.

[26] See also the work of the Global Migration Group on mainstreaming migration into development planning and its two recent stocktaking exercises on crisis-related migration (www.iom.int/stocktaking-exercise-crisis-related-migration) and on protection at sea (www.refworld.org/docid/570799034.html).

cooperate with law enforcement agencies. I encourage others to develop such measures. National and regional protection frameworks could be developed, including through regional economic communities, such as the Economic Community of West African States, the regional consultative processes and interregional forums, to create more predictability and safety for migrants in need. Moreover, some Member States have adopted programmes to regularize the status of migrants, particularly where they are well integrated in the social and economic life of their host States and communities.

95. Support is particularly needed for local authorities that are the first receivers of migrants, both on a temporary and a long-term basis. They often have limited capacities to handle the reception and integration of newcomers or returning migrants. As they have a direct stake in building cohesive communities, they need to be part of national planning processes.[27]

96. To maximize the positive impact of migration, we must analyse trends on the basis of a solid evidence base. I call upon all Member States to invest in data collection, including sex- and age-disaggregated data, as well as information on both regular and irregular flows, the vulnerability of migrants and the economic impact of migration. The data should be analysed to plan for future migration and promote the inclusion of migrants.

97. While human rights and other legal standards regulate the treatment of migrants, frameworks for inter-State cooperation at the regional and global levels remain limited or nascent. With the increased recognition of the inherently international nature of migration issues, strengthened mechanisms for inter-State cooperation are essential in order to facilitate safe, regular and orderly migration and reduce the incidence and impacts of irregular, unsafe and disorderly migration. This is why I am calling for the development of a new global compact on safe, regular and orderly migration.

98. To enhance the capacity of the United Nations to assist migrants and help Governments in addressing migration issues and to promote better coherence between migration and related policy domains, it is time to strengthen the legal relationship between the United Nations and the International Organization for Migration.

VII. Global commitments to addressing large movements of refugees and migrants

99. I urge Member States participating in the high-level plenary meeting on 19 September to make full use of the opportunity offered by the meeting to adopt, at the highest level, new global commitments to addressing large movements of refugees and migrants, to include the three pillars set out below.

[27] Promising practices are emerging through various local official dialogues, such as the Conference on Migrants and Cities of IOM, held in 2015 (see www.iom.int/idmcmc); the Global Mayoral Forum on Migration and Development and related community of practice (see www.unitar.org/dcp/human-mobility-programme/facilitating-policy-dialogue) and the Cities of Migration network (see http://citiesofmigration.ca/).

A. Pillar 1: Uphold safety and dignity in large movements of both refugees and migrants

100. I urge Member States:

(a) To ensure the protection, dignity and human rights of refugees and migrants in accordance with their legal obligations under the nine core international human rights treaties[28] and all relevant provisions of international humanitarian law, international refugee law and labour law;

(b) To fully implement the 2030 Agenda for Sustainable Development, including measures to alleviate poverty;

(c) To implement, as a matter of urgency, measures to mitigate the risks associated with disasters, as outlined in the Sendai Framework for Disaster Risk Reduction 2015-2030;

(d) To take the necessary steps to implement fully the Paris Agreement, adopted by the Conference of the Parties to the United Nations Framework Convention on Climate Change in December 2015;

(e) To place their collective resources behind efforts to prevent armed conflict and to ensure the early and durable resolution of armed conflicts, taking into consideration the pertinent recommendations of the three independent reviews in 2015 relating to peace and security,[29] as well as additional measures spelled out in my report for the World Humanitarian Summit (A/70/709);

(f) To take all measures possible to first ratify, but, more importantly, to fully implement the United Nations Convention against Transnational Organized Crime and the protocols thereto, in particular the Protocol against the Smuggling of Migrants by Land, Sea and Air, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, and the International Convention on Maritime Search and Rescue;[30]

(g) To recognize that non-discrimination is a fundamental component of international human rights law and that policies to promote inclusion of refugees and those migrants who are permitted to remain in a country are beneficial to all concerned.

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[28] The nine core international human rights treaties are the International Convention on the Elimination of All Forms of Racial Discrimination; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.

[29] See A/70/95-S/2015/446, United Nations Entity for Gender Equality and the Empowerment of Women, *Preventing Conflict, Transforming Justice, Securing the Peace: A Global Study on the Implementation of United Nations Security Council Resolution 1325* (New York, 2015, available from http://wps.unwomen.org/~/media/files/un%20women/wps/highlights/unw-global-study-1325-2015.pdf), and A/69/968-S/2015/490.

[30] See www.imo.org/en/About/Conventions/ListOfConventions/Pages/International-Convention-on-Maritime-Search-and-Rescue-(SAR).aspx.

101. I call upon Member States to commit:

(a) To address the causes of large movements of refugees and migrants:

(i) To fully implement their legal obligations and previous collective decisions, as spelled out in paragraph 100 above, to address the causes of large movements of refugees and migrants;

(ii) To incorporate the Guiding Principles on Internal Displacement into national laws and policies and fully implement those policies to protect those who have been forced from their homes but remain within national borders;

(iii) To support efforts by Member States at risk from the adverse impacts of climate change to mitigate those effects, and, where necessary, to plan for migration, including planned relocation, as a means of preventing and minimizing forced displacement;

(b) To protect people en route and at borders:

(i) To work together with other Member States, regional bodies and international agencies, including the United Nations Office on Drugs and Crime, to intensify efforts to prosecute criminal smugglers and traffickers and to ensure protection and assistance to smuggled migrants and refugees and to victims of trafficking;

(ii) To review border management and detention policies to ensure that the human rights of all those who arrive are upheld in line with international standards, consider alternatives to the detention of refugees and migrants and ensure that children, as a matter of principle, are never detained for purposes of immigration control;

(c) To prevent discrimination and promote inclusion:

(i) To reject political rhetoric that stigmatizes refugees and migrants, pledge to do everything possible to combat xenophobia and, in particular, to set an example by not using xenophobic language in their public discourse, and support of the Secretary-General's global campaign against xenophobia;

(ii) To develop comprehensive national plans for the inclusion of refugees and those migrants permitted to remain in their countries in order to encourage their full contributions to societies.

B. Pillar 2: Global compact on responsibility-sharing for refugees

102. I call upon Member States to adopt a global compact on responsibility-sharing for refugees, as set out below, stressing the need:

(a) To recognize that large movements of refugees as a result of emerging and unresolved conflicts are profoundly affecting individuals and Member States, sometimes for protracted periods of time, and that full implementation is needed of the principles and standards of the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto, as well as regional refugee instruments, for the lifting of reservations and the securing of accessions, and for guaranteeing the principle of non-refoulement and the prohibition of collective expulsion;

(b) To commit to sharing responsibility for hosting refugees more fairly, recognizing that responsibility-sharing stands at the core of the international protection regime, reflected in the preamble of the 1951 Convention and reaffirmed in successive General Assembly resolutions, regional refugee instruments, and supported in international human rights and international humanitarian law;

(c) To recognize that countries of origin have clear responsibilities and obligations towards their nationals, inherent in sovereignty and rooted in international human rights and humanitarian law, for which they remain accountable;

(d) To take immediate steps to ensure a greater sharing of responsibilities for refugees in order to safeguard the rights of refugees and to ensure that the impact of their flight is not borne disproportionately by countries and regions on the basis of their proximity to countries of origin alone;

(e) To acknowledge the extraordinarily generous contributions made by countries and communities hosting refugee populations and the need to provide greater support where needed to host communities, which are the first to absorb the impact of any major influx of refugees, and to recognize that support to host communities requires well-coordinated humanitarian and development responses so that development resources are directed towards meeting the needs of both refugees and host communities.

103. I call upon Member States to fully and promptly support the Office of the United Nations High Commissioner for Refugees when it calls for a comprehensive refugee response plan for refugees in situations involving large movements of refugees, by committing to undertake the following:

(a) To contribute to the comprehensive refugee response in collaboration with all relevant actors on the basis of a "whole of society" approach, including the United Nations, international organizations, national and local authorities, civil society partners, academia, the private sector and the media;

(b) To define their contributions to the comprehensive refugee response in a timely manner, which may take various forms, including, but not limited to, financial and in-kind support, technical assistance, legal or policy measures, personnel and resettlement places or other pathways for admission of refugees, and to endeavour to make contributions proportionate to the global needs of refugees and to the diverse capacities of each Member State;

(c) To mobilize financial resources to cover the humanitarian needs identified within the comprehensive refugee response, and the broader humanitarian strategy where it exists, and to expand development funding from the outset of displacement to address the needs of refugees and reinforce the national institutions, services and communities that support them;

(d) To find solutions for refugees, including by:

(i) Investing in reconciliation and reconstruction to make it possible for refugees to return home voluntarily in safety and dignity;

(ii) Providing resettlement spaces or other legal pathways for admission to at least 10 per cent of the global refugee population annually;

(iii) Providing meaningful opportunities for local solutions;

(e) To provide access to basic services relating in particular to health, education and support for livelihood opportunities for both refugees and members of host communities.

104. I recommend that Member States request the United Nations High Commissioner for Refugees to include in reports to the General Assembly a review of the implementation of the global compact on responsibility-sharing for refugees, including an assessment of how best to ensure a predictable and equitable responsibility-sharing approach in particular refugee situations.

C. Pillar 3: Global compact for safe, regular and orderly migration

105. I call upon Member States to take the following actions, with a view to the development of a global compact for safe, regular and orderly migration:

(a) To undertake a State-led process to elaborate a comprehensive international cooperation framework on migrants and human mobility, in the form of a global compact for safe, regular and orderly migration, and to hold an intergovernmental conference on international migration in 2018 to adopt the global compact;

(b) To ensure that the global compact for safe, regular and orderly migration is based on the recognition that all migrants, regardless of their status, must receive the protection, respect and fulfilment of their human rights as provided in the nine core international human rights instruments and related standards, including all relevant ILO conventions, and to consider the ratification and effective implementation of those instruments;

(c) To ensure that in developing the global compact for safe, regular and orderly migration, the process builds on existing bilateral, regional and global cooperation mechanisms for facilitating safe, regular and orderly migration and takes into account the roles and responsibilities of countries of origin, transit and destination of migrants, international organizations, local authorities, private sector recruiters and employers, labour unions, civil society and migrant and diaspora groups. Such a process should include support for fostering enhanced regional and global dialogue and deepening collaboration on migration by building on best practices and collaboration in the regional commissions, regional consultative processes and multilateral forums, especially the Global Forum on Migration and Development;

(d) To emphasize the intention to develop more opportunities for safe, orderly and regular migration, in line with target 10.7 of the Sustainable Development Goals, including labour mobility at all skill levels that is responsive to labour market needs, as well as family reunification and education-related migration opportunities;

(e) To ensure that migration opportunities entail the ethical recruitment of migrants, reductions in the costs of migration, facilitation of the flow of remittances and increasing their productive use, enhancement of the transfer of skills and knowledge and mutual recognition of skills and portability of acquired benefits, as addressed in the Addis Ababa Action Agenda. Member States should counter exploitative practices and the demand for services derived from the exploitation of others, in line with human rights and labour standards and relevant policy

frameworks. In developing such opportunities, special attention should be paid to fragile States and countries and areas experiencing crises, including as a result of disasters or environmental degradation;

(f) To ensure the inclusion in the global compact of migrants and their specific vulnerabilities and needs, in coordinated humanitarian response and development frameworks at all levels, by ensuring the rights of migrants are upheld, the financial and human resources necessary to support such efforts are mobilized and development funding is expanded for measures to support the positive contribution of migrants to the societies in which they reside;

(g) To underscore in the global compact the responsibility of States to protect and assist their citizens abroad, including ensuring proper documentation for their protection and their right to re-entry, as contemplated in the Vienna Convention on Consular Relations, and establishing bilateral and regional consular cooperation arrangements where needed;

(h) To stress in the global compact that returns of those migrants who do not meet required international or national legal standards to remain in their host country must be conducted in safety, dignity and respect for human rights, on the basis of: (i) the primacy of voluntary returns; (ii) cooperation between States of origin and reception; and (iii) enhanced reception and reintegration assistance to those who are returned.

106. In addition to working towards the global compact, I urge Member States to commit:

(a) To initiate a State-led, consultative process to improve protection and assistance for migrants in vulnerable situations, with the participation of experts and civil society, building on the principles and practical guidance on the protection of migrants in large movements currently being developed by the Global Migration Group;

(b) To give favourable consideration to incorporating into national policies and practices the insights of the State-led Migrants in Countries in Crisis initiative to protect and assist migrants in countries experiencing conflicts or natural disasters and of the Nansen Initiative in its agenda for the protection of persons crossing international borders as a result of natural disasters and climate change;

(c) To forge a closer relationship between the United Nations and the International Organization for Migration, including through a strengthened legal relationship.